

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

In Re: RFC and ResCap Liquidating Trust  
Litigation

*This document relates to:*

ResCap Liquidating Trust v. Primary  
Residential Mortgage, Inc., No. 16-cv-  
4070 (SRN/HB)

Case No. 13-cv-3451 (SRN/HB)

**AMENDED FIRST ORDER ON TRIAL  
DEPOSITION DESIGNATIONS**

SUSAN RICHARD NELSON, United States District Judge

This matter comes before the Court on Plaintiff ResCap Liquidating Trust’s (“ResCap”) and Defendant Primary Residential Mortgage, Inc.’s (“PRMI”) request to admit various portions of deposition testimony from numerous witnesses—and accompanying exhibits—into the evidentiary record for the recently completed bench trial between the parties. This order is the first of two, and addresses the majority of the witnesses and exhibits at issue. A second order resolving any remaining deposition designation and exhibit disputes will follow. As set forth in detail below, the Court **GRANTS IN PART** and **DENIES IN PART** the parties’ requests. Exhibits offered in conjunction with deposition testimony are only referenced if they have not already been received into evidence.

<b><u>Witness:</u></b>	<b><u>Ruling:</u></b>
Lewis Kruger	All objections to deposition designations are overruled.
Allen Pfeiffer	All objections to deposition designations are overruled <i>except</i> the following, which are sustained: <ul style="list-style-type: none"><li>• 240:14–16, 21–25</li></ul>

	<ul style="list-style-type: none"> <li>• 241:1–25</li> <li>• 242:1–10, 16–19, 23–25</li> <li>• 243:1–8</li> <li>• 254:10–25</li> <li>• 255:1–4</li> </ul>
Andrew Swope	<p>All objections to deposition designations are overruled <i>except</i> the following, which are sustained:</p> <ul style="list-style-type: none"> <li>• 73:10–14</li> </ul>
Timothy Devine	All objections to deposition designations are overruled.
Tammy Hamzepour	<p>All objections to deposition designations are overruled <i>except</i> the following, which are sustained:</p> <ul style="list-style-type: none"> <li>• 38:19–25</li> <li>• 39:1–4</li> </ul>
Robert Major	<p>All objections to deposition designations are overruled <i>except</i> the following, which are sustained:</p> <ul style="list-style-type: none"> <li>• 63:19–25</li> <li>• 64:1–9, 19–25</li> <li>• 65:1–18</li> </ul>
J.F. Morrow	There were no objections to J.F. Morrow’s deposition designations.
Sharon Maki	<p>All objections to deposition designations are overruled <i>except</i> the following, which are sustained:</p> <ul style="list-style-type: none"> <li>• <u>March 23, 2016 Deposition:</u> <ul style="list-style-type: none"> <li>○ 151:1–4, 6–25</li> <li>○ 152:1–2</li> <li>○ 153:2–4, 7–11, 21–25</li> <li>○ 154:1–7, 12–18, 22–25</li> <li>○ 155:1–5, 7–8, 11–25</li> <li>○ 156:1–10, 12, 15–25</li> <li>○ 157:1–4, 7–25</li> <li>○ 158:1–5, 7–8, 11–25</li> <li>○ 159:1–3, 6–24</li> <li>○ 160:1, 4–9, 12, 14–16, 19, 22–25</li> <li>○ 161:1, 4, 6–9, 11</li> </ul> </li> <li>• <u>April 11, 2019 Deposition:</u> <ul style="list-style-type: none"> <li>○ 128:9–12, 19–25</li> <li>○ 129:1–25</li> <li>○ 130:1–15</li> <li>○ 131:13–16, 18–25</li> <li>○ 132:1–2, 5–7, 22–25</li> <li>○ 133:1</li> <li>○ 145:3–9</li> </ul> </li> </ul>

	<ul style="list-style-type: none"> <li>○ 174:5–11, 15–18</li> <li>○ 220:22–25</li> <li>○ 221:1–3, 7–10, 12–14, 18–24</li> <li>○ 222:1–7, 12–14</li> </ul> <p><u>Exhibits:</u></p> <ul style="list-style-type: none"> <li>• The following exhibits are received into evidence: <ul style="list-style-type: none"> <li>○ DTX-082</li> <li>○ DTX-083</li> <li>○ DTX-085</li> <li>○ DTX-102</li> <li>○ DTX-787</li> </ul> </li> <li>• The following exhibits are <u>not</u> received into evidence: <ul style="list-style-type: none"> <li>○ DTX-050</li> </ul> </li> </ul>
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The remaining witnesses—Bradford Cornell, Leigh Ann Richardson, Kathy Meadows, Lori Zaloumis, Frank Sillman, and Yvonne Flitton—will be addressed in a subsequent order.

**IT IS SO ORDERED.**

Dated: March 31, 2020

s/Susan Richard Nelson  
Susan Richard Nelson  
United States District Judge